DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR FORMERLY USED DEFENSE SITES (DERP-FUDS)

Briefing Purpose

Provide information on environmental cleanup of Formerly Used Defense Sites (FUDS) conducted as as a part of the Defense Environmental Restoration Program.

FUDS Program

Goal. "To reduce, in a timely and cost effective manner, the risk to human health and the environment resulting from past Department of Defense activities at formerly used DoD properties."

Definition. A real property formerly owned/leased/ possessed by, or under the jurisdiction of the Secretary of Defense within the 50 states, territories, commonwealths, and possessions over which the

U. S. has jurisdiction.

Introduction and Program Overview

- DoD is correcting environmental damage through the Defense Environmental Restoration Program (DERP)
- FUDS are a part of this program:
  - Formerly managed by DoD (no longer in control of DoD)
  - Located in all states and territories of the U.S.
  - Range from privately owned farms to national parks
- Army is executive agent, Corps of Engineers manages FUDS program
- Over 9,000 potential properties; approximately 2,700 require investigation or response action

Introduction and Program Overview (cont'd)

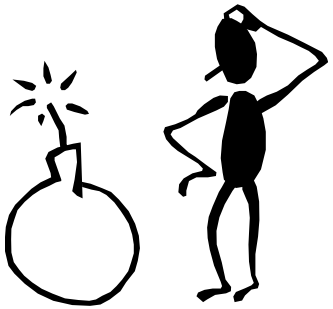
- Total cost for completing remaining FUDS projects is estimated at over $18 billion
- Annual budget for next 5 years is planned at an average of approximately $222 million
- FUDS program is under-funded to meet current commitments and stakeholder expectations

FUDS is a Different Animal

- The FUDS Program is not the EPA Superfund Program
- The FUDS Program cleans up only **DoD generated pollution** which occurred before transfer of property to private owners, or federal, state or local government owners
- The Department of Defense does not own the property that FUDS is cleaning up
- We do not certify that the property is clean
- We rarely have a project office on site
- We work hand in hand with current property owners and regulators on cleanup efforts

DERP-FUDS Missions

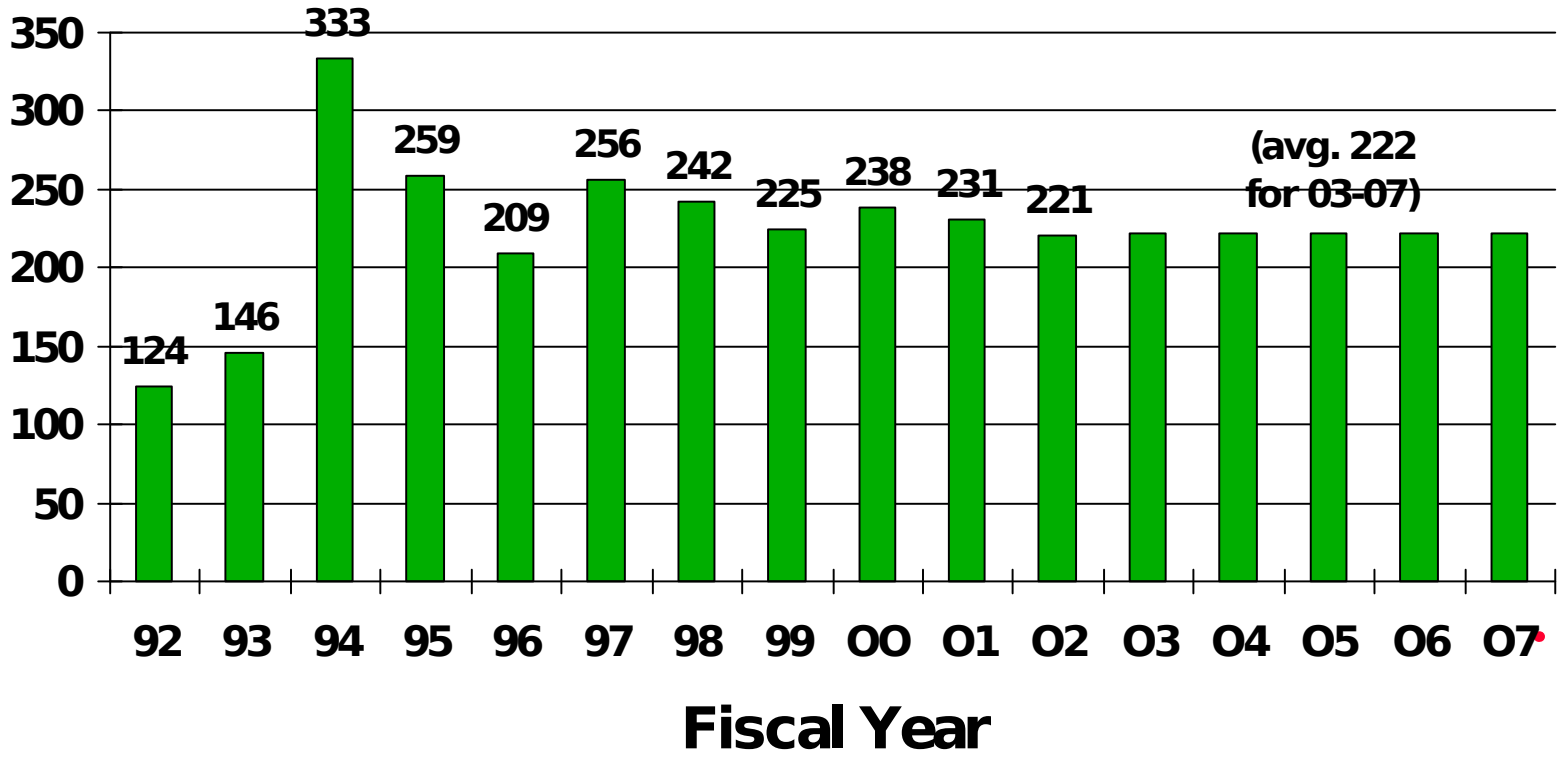
- **Identification, Investigation, and Cleanup of Hazardous Toxic and Radioactive Waste (HTRW)**



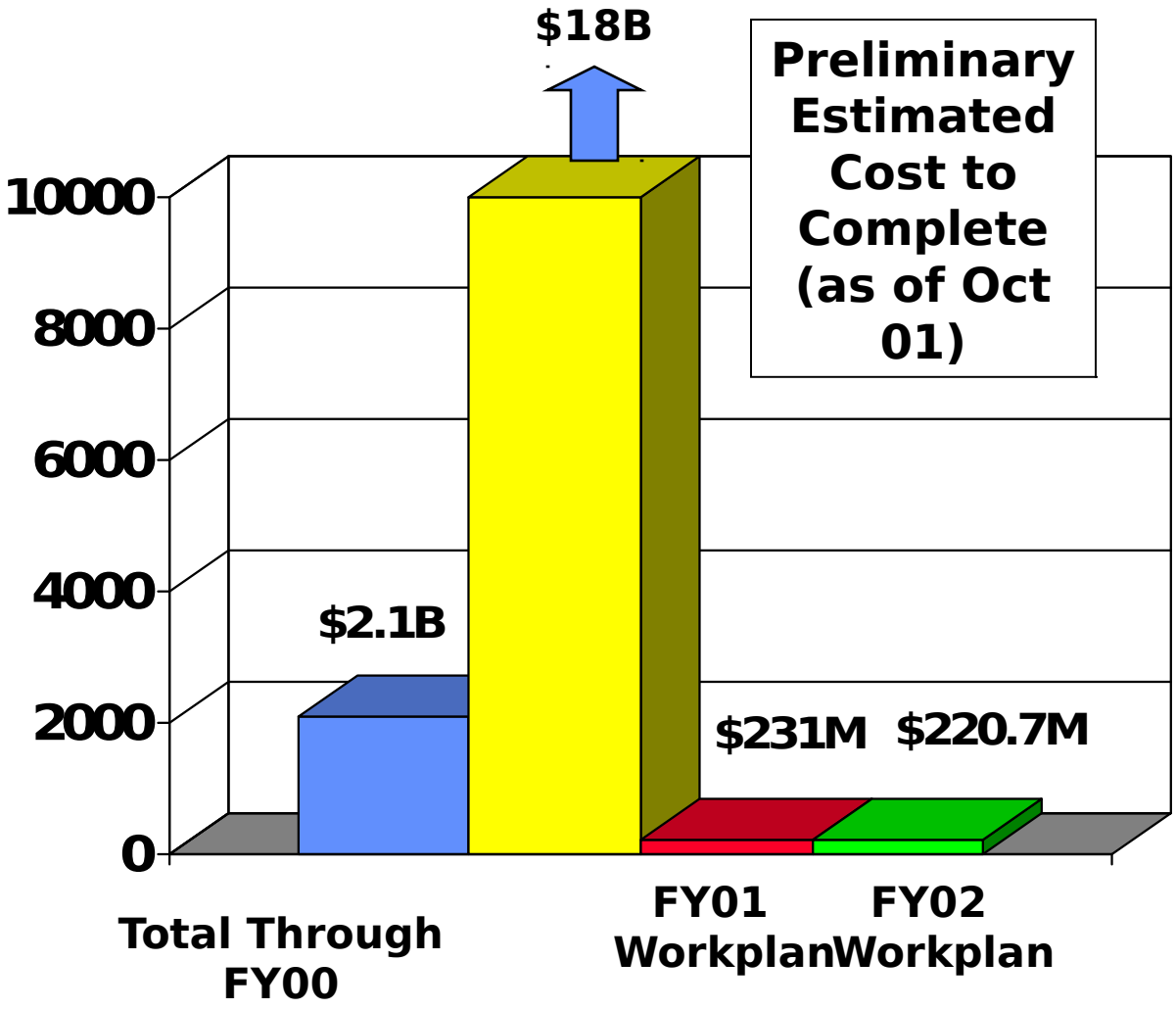
- **Correction of other Environmental Damage - Ordnance and Explosives (OE)**

- **Building Demolition and Debris Removal (BD/DR)**

Fiscal Guidance Levels
FUDS
(in Millions of Dollars)



FUDS Progress (Lifecycle) (in Millions of Dollars)



The US Army Corps of Engineers — Formerly Used Defense Sites..

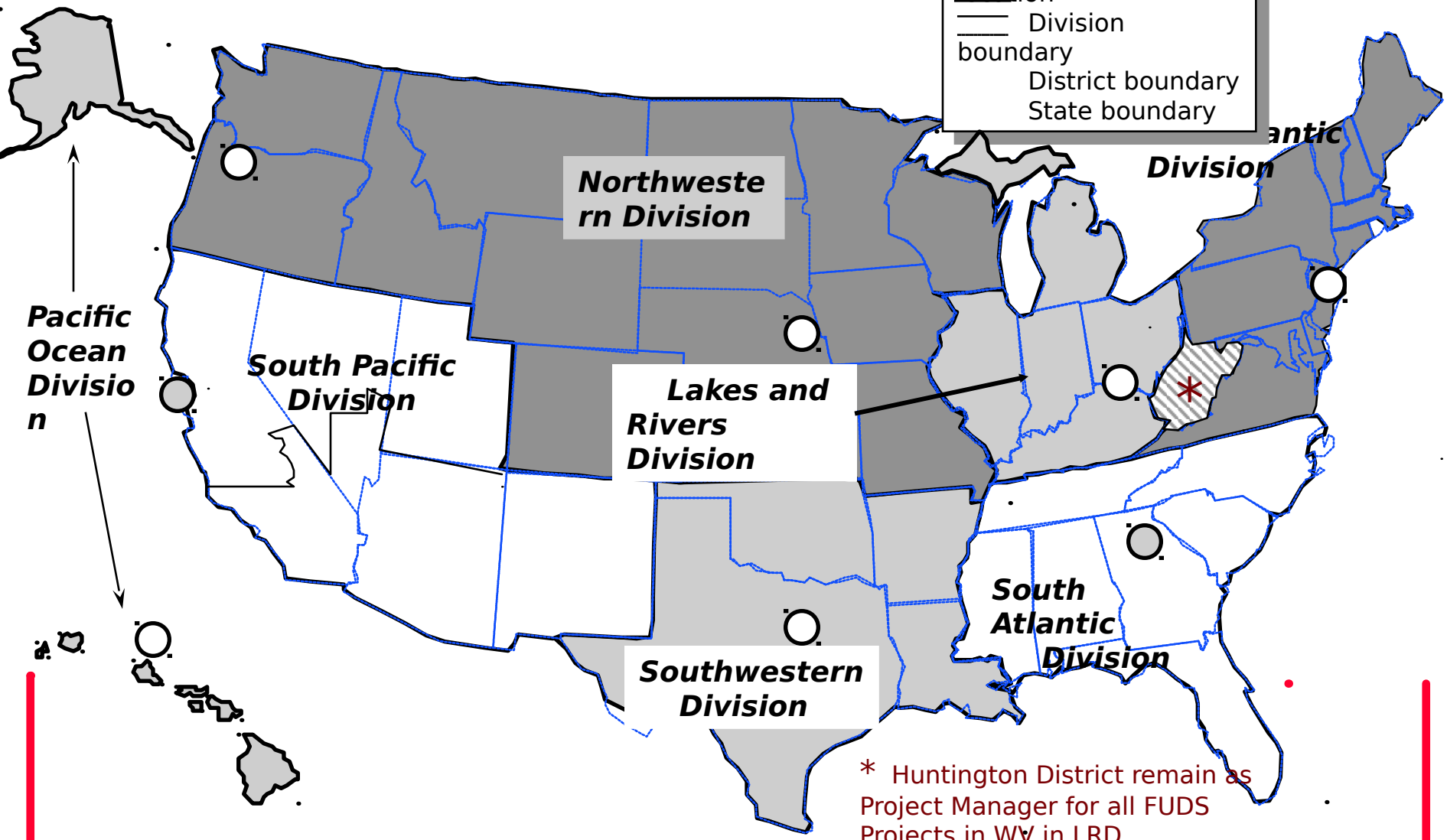
DERP-FUDS Organization and Responsibilities

- **Policy Planning & Oversight**
  - Raymond Dubois, DUSD (E&I), John Paul Woodley, Jr, ADUSD(E)
  - Executive Agent: Secretary of the Army, ASA(IL&E)/DASA(ESOH) Ray Fatz and Rick Newsome
  - DA Staff Proponent: Chief of Staff, Army, ACSIM/DEP COL Richard Hoefert
  - Program Management: HQUSACE/CEMP-RF Patricia Rivers and Bob Lubbert
- **Program Execution**
  - Geographic Military Divisions & Districts

DERP-FUDS USACE Organization

- Program management is centralized at HQUSACE
- Program/project execution is decentralized:
  -- 7 Geographic Divisions -- 18 Districts
- 10 designated Potentially Responsible Party (PRP) Districts
- 2 Centers of Expertise (CX):
  Hazardous Toxic and Radioactive Waste (HTRW)-CX in Omaha, NE & Ordnance and Explosives (OE)-CX in Huntsville, AL

FUDS Program Boundaries



The US Army Corps of Engineers — Formerly Used Defense Sites..

Past Property Holders

- **Army**
- **Navy**
- **Marine**
- **U.S. Army Corps of Engineers**
- **Air Force**
- **Defense Logistics Agency**
- **Other defense agency properties**

Stakeholders

- The principal stakeholders are:
  - Property Owners
  - General Public and Communities
  - Local, State and Federal Regulatory Agencies
  - Tribal Governments
  - Environmental and Public Interest Associations
  - The United States Congress

Current Property Uses

- The current use includes:
  - Privately Owned Farms
  - Residential Areas
  - Industrial Areas
  - Schools
  - Colleges
  - National Parks
  - Wildlife Areas

Status of FUDS Properties and Projects **(as of October 2001)**

- Total Properties in Inventory.....9,182
- Total Properties Eligible for FUDS Program.....6,745
- Properties Requiring Response Actions (29%).....2,827
- Total Projects In Inventory.....4,657
- Projects Requiring Response Actions (48%).....2,159
- Projects Completed.....2,498

PROPERTY is the entire property formerly owned/used by DoD and is generally analogous to “site”

PROJECT is the individual area of potential hazard, differentiated by *type of hazard* (HTRW, OE, BD/DR) and is generally analogous to “operable unit”

FUDS Program Cleanup Process

- PHASE 1--- INVENTORY
  - Determine if the property was formerly used by DoD and, if contamination is present, that it resulted from DoD activity

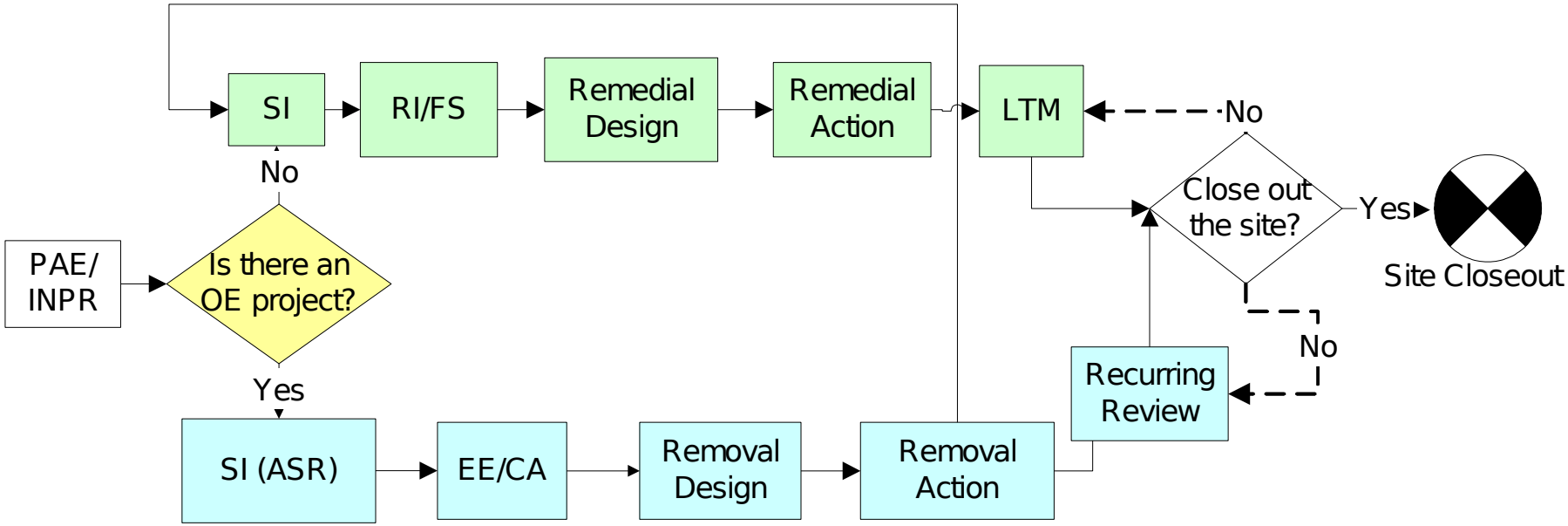
FUDS Program Cleanup Process (Cont)

- PHASE 2 --- INVESTIGATION
  - Conduct an investigation to determine the nature and extent of the contamination

FUDS Program Cleanup Process (Cont)

- PHASE 3 --- CLEANUP
  - Cleaning up the property to protect human health, safety and the environment

Simplified Response Flowchart



USACE FUDS response process is consistent with Comprehensive Environmental Response, Compensation and Liability Act of 1980/National Contingency Plan

SI = Site Inspection
RI = Remedial Investigation
FS = Feasibility Study
PAE = Preliminary Assessment of Eligibility
INPR = Inventory Project Report
ASR = Archive Search Report
EE/CA = Engineering Evaluation/Cost Analysis
LTM = Long Term Monitoring

DERP-FUDS vs. EPA Site Assessment Process

USACE FUDS Program (Preliminary Assessment of Eligibility)	EPA Site Assessment (Preliminary Assessment)
PAE	Not/= PA

(environmental setting and receptor information is not collected during PAE)….

HOWEVER

PAE/SI/Relative Risk = PA/SI/HRS

(Site Inspection) (Hazardous Ranking Score)

(although methods somewhat different, same threats to human health and the environment are addressed pursuant to DERP)

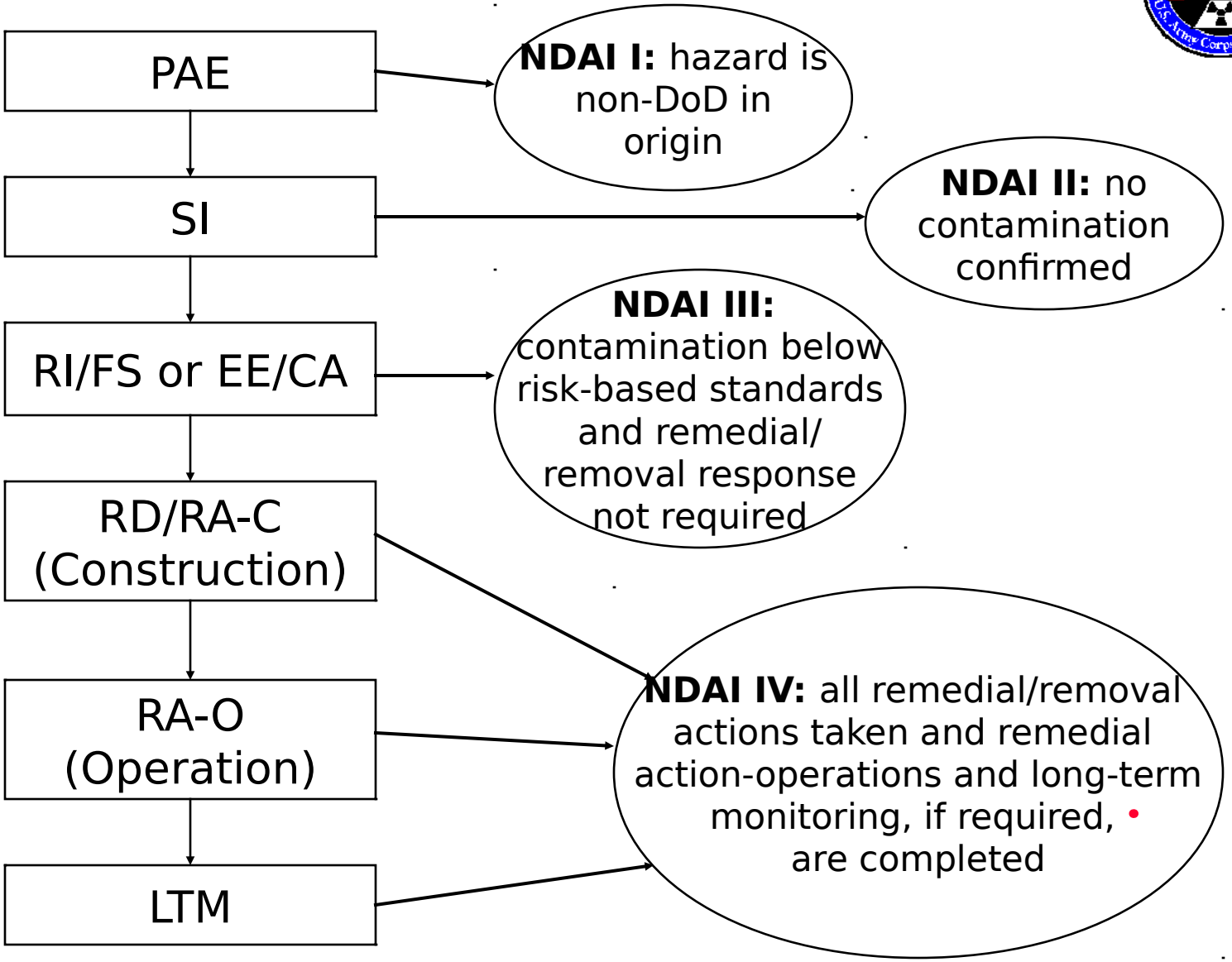
INPR/SI Process

- All Inventory Project Report (INPRs) and SI reports are available at Military District offices to regulatory agencies if requested
- Many INPRs and SIs have already been provided to regulators
- The new INPR process involves the inclusion of information from regulatory agencies
- FUDS Improvement Working Group, comprised of EPA HQ, Dept of Army, Native American, and State regulator representatives, is currently working to resolve additional issues

No DoD Action Indicated (NDAI) Decisions

- NDAI indicates for FUDS programming purposes that no DoD liability remains at the site
- Term created to clarify difference between NOFA (no further action by any party) and no DoD action or further DoD action authorized
- Project Closeout follows NDAI and requires formal regulatory concurrence as appropriate

NDAI Categories


PAE
SI
RI/FS or EE/CA
RD/RA-C (Construction)
RA-O (Operation)
LTM
NDAI I: hazard is non-DoD in origin
NDAI II: no contamination confirmed
NDAI III: contamination below risk-based standards and remedial/ removal response not required
NDAI IV: all remedial/removal actions taken and remedial action-operations and long-term monitoring, if required, are completed

FUDS
Program Initiatives

Management

- Increased Department of the Army oversight
- Defense Planning Guidance revisions
- New Measures of Merit
- Develop strategic business plan
- Increased stakeholder involvement
- FUDS Improvement Working Group

Execution

- Regional contracting
- Closeout properties
- Database improvements -- public access
- Pilot Management Action Plans

Factors Impacting FUDS Program Execution

- Inadequate program funding to satisfy stakeholders
- New and changing regulatory paradigms by regulators related to lead agency authority
- New EPA FUDS Policy
- Congressionally mandated FUDS cleanup activities
- Regulators' emerging cleanup requirements for ordnance
- Increased influence by local development on level of cleanup at FUDS properties
- Long-term Potentially Responsible Party (PRP) payment impacts
- Increased interest to address natural resource damages and injuries

Web Links for Community Involvement

- **Stakeholder Access to FUDS Web Information**
  - Directly from HQ USACE
    - http://hq.environmental.usace.army.mil/programs/fuds/fuds.html
  - HQ USACE links to all Districts and Divisions
    - http://www.usace.army.mil/organizations.htm
  - FUDS Home page for the public at large to include project data and Geographic Information System (GIS) mapping capability
  - Defense Environmental Restoration Program (DERP): Project Information Retrieval System (PIRS)
    - Real time document retrieval system for Corps of Engineers in support of its projects and programs
    - http://pirs.mvr.usace.army.mil/fuds/fuds.htm
  - Defense Environmental Network & Information Exchange (**DENIX)**
    - Levels of access to DENIX given for various users: Public, state, DoD and international; requires log-in and password
    - http://www.denix.osd.mil/

FUDS Program Trend

- Highly visible, controversial, and complex DoD program that affects many stakeholders
- Continue to have property/project growth due to new properties being discovered; results in continual increases in costs
- Regulatory/stakeholder and funding/schedule constraints control the pace of cleanup and closeout activities
- Increased emphasis on rendering properties “clean” of ordnance and explosives (big technological challenges)
- Program is not adequately funded to make significant progress against the current requirements and stakeholder demands

Summary

- The U.S. Army Corps of Engineers is responsible for cleaning up Department of Defense contamination at Formerly Used Defense Sites.
- This is a three-phase process:

  Inventory

  Investigation

  Cleanup
- The FUDS Program is not adequately funded to make significant progress against the current requirements and stakeholder demands
- Look for more interest in the FUDS Program from Congress, DoD (Outsourcing/Privatization Initiatives) and Regulators (State and EPA)

And Finally.....

The more you know about the FUDS program, the more productive our partnering will be...

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Visit our web site!

http://hq.environmental.usace.army.mil/programs/fuds/fuds

Any Questions?